



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,800	03/29/2000	Steven M.H. Wallman	10392/46901	7334
7590	08/11/2004		EXAMINER	
Michael N Haynes Kenyon & Kenyon 1500 K Street NW Washington, DC 20005			MEINECKE DIAZ, SUSANNA M	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/537,800	WALLMAN, STEVEN M.H.
	Examiner Susanna M. Diaz	Art Unit 3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 May 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-177 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-177 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 05/03/04.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. This Non-Final Office action is responsive to Applicant's amendment filed May 3, 2004.

Claims 1, 28-35, 62-64, 72, 104-112, 131-134, 146, 160, and 175-177 have been amended.

Claims 1-177 are presented for examination.

2. The previously pending rejection of claims 1-27, 36-47, and 72-103 under 35 U.S.C. § 101 is withdrawn in response to Applicant's amendment of the claims.

All previous indications of allowability are withdrawn in light of recently located reference, Chisholm (U.S. Patent No. 5,400,248).

Response to Arguments

3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

4. Claims 23-27 are objected to because of the following informalities:

Claim 23, line 1, delete "share", insert – shares—

Claim 24, line 1, delete "share", insert – shares—

Claim 25, line 1, delete "share", insert – shares—

Claim 26, line 1, delete "share", insert – shares—

Claim 27, line 1, delete “share”, insert – shares—

Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 28-35, 104-116, 134-139, 146-152, and 160-177 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

While claims 28-35, 104-116, 134-139, 146-152, and 160-177 recite that some steps are “automatically” performed and some information is transmitted electronically, it is not clear whether or not the heart of the invention utilizes technology. For example, independent claims 28-35 could reasonably be interpreted as being performed entirely by hand, where a human “automatically” (i.e., subsequently) votes in response to the receipt of voting preferences. It is respectfully suggested that Applicant explicitly recite that the actual voting of a user’s shares in accordance with a recommendation(s) is performed entirely by a computer system.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-177 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chisholm (U.S. Patent No. 5,400,248).

[Claim 1] Chisholm discloses a method for voting shares comprising:
receiving by a computer preferences regarding how to vote a user's vote, said preferences including an identification of one or more individuals whose voting recommendations are to be followed when voting the user's vote (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20); and

automatically voting the user's vote by a computer in accordance with the received preferences (col. 5, lines 35 through col. 16, line 12);

[Claim 6] storing the preferences (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – In order to tally votes and perform conditional vote evaluation, the votes must be stored in a database);

[Claim 7] storing the preferences in a database (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – In order to tally votes and perform conditional vote evaluation, the votes must be stored in a database).

Regarding claims 1-27 and 36-47, while Chisholm does not expressly teach that a user is voting shares *per se* in a corporate voting, Chisholm does lay the foundation for the underlying principles behind the claimed invention – automatically casting a user's votes in accordance with preference information received from the user. The

Examiner asserts that voting shares in a corporate voting is merely a well-known and specialized application of the generic voting arrangement proposed by Chisholm. For example, Chisholm's vote administrator enters a proposed vote into the system and specifies who can vote, voting deadlines, etc. (col. 5, lines 11-34). Corporate voting is simply a specialized example of a vote; a corporate voting issue is proposed, authorized voters are designated, voting deadlines are established, etc. Chisholm's voting system "leads to better and faster group decisions that are based on more complete voter knowledge than simply yes, no or abstain" (abstract); therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Chisholm's invention to the specific application of voting user's shares in a corporate voting environment in order to facilitate "better and faster group decisions that are based on more complete voter knowledge than simply yes, no or abstain" in the complex world of making decisions through voting shares in a corporate voting environment.

As per claims 1-27 and 36-47, Chisholm allows voters to establish voting preferences that either mirror or oppose the votes cast by specified individuals or group of individuals (col. 6, line 51 through col. 16, line 12; however, Chisholm does not expressly teach that the voters can establish voting preferences based on an organization *per se*. The Examiner asserts that an organization is analogous to an individual or group of individuals since each entity sets forth a position in the vote upon which a user can base his/her own vote. Furthermore, an organization is merely a formal representation of an individual or a group of individuals; therefore, the claimed

organization in the claimed invention plays a role analogous to that of Chisholm's individuals or groups of individuals who influence the votes of others. Similarly, the Examiner asserts that the concept of affiliating one's vote with an organization's recommendations is old and well-known in the art of voting. For example, many organizations endorse a certain political candidate and encourage all of their members to vote accordingly. Also, many people vote strictly along political party lines, which exemplifies how a voter aligns his/her vote with the position of a given organization (e.g., the Democratic or Republican party). Chisholm's invention provides an automated system for allowing a voter to conveniently and easily vote in correlation with the recommendations of a third party; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to adapt Chisholm to allow a user to vote his/her shares not only in accordance with the recommendations of another individual, but also with those of an actual organization in order to make Chisholm's invention more versatile in its ability to handle a variety of forms of affinity-based voting (i.e., voting in accordance with recommendations of a third party), thereby making Chisholm's invention more marketable.

As per claims 2-5, Chisholm's users enter their voting preferences electronically; however, there is no explicit disclosure of completing a corporate voting form *per se* (claim 2), communicating a completed voting form to the corporation (claim 3), converting a hard copy of a corporate voting form into an electronic format (claim 4), and converting a hard copy of a corporate voting form into a computer readable and communicable format (claim 5). Official Notice is taken that it is old and well-known in

the art of voting for users to enter their votes on a hard copy voting form and then process the counting of the votes electronically. In many instances (e.g., depending on the location and number of voters involved), such an arrangement is more cost effective than automating the entire process. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to adapt Chisholm to access paper votes and then process the voting results electronically, incorporating the steps of completing a corporate voting form in accordance with the received preferences (claim 2), communicating a completed voting form to the corporation (claim 3), converting a hard copy of a corporate voting form into an electronic format (claim 4), and converting a hard copy of a corporate voting form into a computer readable and communicable format (claim 5), in order to allow one to reap the benefits of Chisholm's affinity-based voting scheme in an environment where it is more cost effective to collect paper ballots and process the results electronically than it is to completely automate the entire process.

Regarding claims 8, 9, 16, and 18, Chisholm does not expressly teach the steps of communicating a list of a plurality of organizations to the user from among which the user can select to follow when voting the user's shares (claim 8), rendering a list of a plurality of organizations to the user from among which the user can select to follow when voting the user's shares (claim 9), providing one or more voting preferences to the user (claim 16), and rendering a list of one or more affinity groups that provide voter recommendations on one or more corporate voting actions by one or more corporations (claim 18). However, Chisholm's voters can condition their votes based on "the votes of

specific individuals, on the number of percent of the overall group who vote a certain way, external events or on any combination thereof" (abstract). The voting system must have knowledge of a particular voter's vote if other votes are to be based on this voter's vote; therefore, all voters must be recognized as part of the group of authorized voters in the system. Chisholm merely fails to expressly teach that these individuals' (or organizations') names are provided in a list to its users. However, Official Notice is taken that it is old and well-known in the art of voting to provide to a voter a list of available choices. Even if a voter writes in "vote in accordance with Mickey Mouse's vote," if Mickey Mouse is not a voting member, then affiliating oneself with Mickey Mouse's vote essentially amounts to no vote at all. Providing a list of qualified voting members would apprise each user of their available choices, thereby preventing any misunderstandings that might prevent the user's vote from being counted (e.g., the user might mistakenly misspell an organization's name or even name an organization whose vote is not recognized). Since Chisholm's conditional voting system relies on the ability to quickly and efficiently understand a user's true voting intentions, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to adapt Chisholm to perform the steps of communicating a list of a plurality of organizations to the user from among which the user can select to follow when voting the user's shares (claim 8), rendering a list of a plurality of organizations to the user from among which the user can select to follow when voting the user's shares (claim 9), providing one or more voting preferences to the user (claim 16), and rendering a list of one or more affinity groups that provide voter recommendations on

one or more corporate voting actions by one or more corporations (claim 18) in order to more effectively apprise each user of their available choices, thereby preventing any misunderstandings that might prevent the user's vote from being counted (e.g., the user might mistakenly misspell an organization's name or even name an organization whose vote is not recognized).

As set forth in the rejection above, the recited voting of a user's shares is seen as analogous to and obvious in light of Chisholm's voting. Similarly, the claimed organizations have been established as analogous to and obvious in light of Chisholm's individuals and groups of individuals. Following similar lines of reason, the Examiner asserts that adapting Chisholm's invention to perform conditional voting for voting shares based on an organization's voting recommendations would also yield the following modifications:

[Claim 10] receiving voting recommendations regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – A user's voting preferences are received);

[Claim 11] receiving voting recommendations regarding one or more corporate actions from an affinity group (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 12] storing voting recommendations regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Votes are maintained at least long enough to be tallied);

[Claim 13] entering voting recommendations regarding one or more corporate actions into a database (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Votes are maintained at least long enough to be tallied. Any collection of data can be interpreted as a type of database);

[Claim 14] providing a user interface by which an affinity group enters voting recommendations on one or more upcoming corporate actions (Fig. 1; col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – All users are provided with interfaces through which to enter their votes/voting preferences);

[Claim 15] providing one or more voting recommendations to the user (col. 5, line 47 – The generic voting options, such as “yes, no, abstain,” are provided to the users);

[Claim 17] providing a layered set of alternative voting preferences for each user (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user has various voting options, including entering conditional or unconditional votes);

[Claim 19] receiving an indication of one or more of the affinity groups whose recommendations the user desires to consider when voting votes in at least one corporate action by at least one corporation (col. 7, lines 17-21);

[Claim 20] receiving a selection of one or more affinity groups whose recommendations the user desires to follow when voting the user’s votes (col. 7, lines 17-21);

[Claim 21] receiving a selection of one or more affinity groups whose recommendations the user desires to oppose when voting the user’s votes (col. 7, lines 17-21 – This is analogous to “voting the opposite of another person’s vote”);

[Claim 22] electronically communicating a user's vote to the corporation (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – A user's vote/voting preferences are received by the originator of the vote, which is analogous to a corporation requesting a corporate vote);

[Claim 23] wherein the user's votes are voted based on a voting recommendation of one or more affinity groups selected by the user (col. 7, lines 17-21 – This is analogous to “voting the way the majority of parties x, y, and z vote” and “voting yes if at least 50% of the group, including x, y, and z vote yes”);

[Claim 24] wherein the user's votes are voted in accordance with a voting recommendation of one or more affinity groups selected by the user (col. 7, lines 17-21 – This is analogous to “voting the same as another person's vote”);

[Claim 25] wherein the user's votes are voted in opposition to a voting recommendation of one or more affinity groups selected by the user (col. 7, lines 17-21 – This is analogous to “voting the opposite of another person's vote”);

[Claim 26] wherein the user's votes are voted in accordance with a majority position held by a plurality of affinity groups selected by the user (col. 7, lines 17-21 – This is analogous to “voting the way the majority of parties x, y, and z vote” and “voting yes if at least 50% of the group, including x, y, and z vote yes”);

[Claim 36] enabling an affinity group to review one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 37] enabling an affinity group to provide recommendations on one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 38] enabling an affinity group to provide recommendations as to the affinity group's position on one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 39] receiving recommendations from an affinity group regarding one or more corporate actions, the affinity group including management (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 40] receiving recommendations from an affinity group regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 41] receiving recommendations from an affinity group regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 42] receiving recommendations from an affinity group regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's

vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 43] receiving recommendations from an affinity group regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 44] receiving recommendations from an affinity group regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 45] receiving recommendations from an affinity group regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 46] receiving recommendations from an affinity group regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group);

[Claim 47] receiving recommendations from an affinity group regarding one or more corporate actions (col. 4, lines 34-63; col. 5, line 11 through col. 9, line 20 – Each user's vote is received. Any individual or group of individuals upon which another user's vote is based is analogous to an affinity group).

Regarding claims 40-47, Chisholm fails to expressly teach the types of affinity groups recited in claims 40-47; however, Official Notice is taken that it is old and well-known in the art for a voter to seek advice from any of the following types of groups when deciding how to cast a vote: an association (claim 40), a political organization (claim 41), a special interest group (claim 42), a trade association (claim 43), a competing corporation (claim 44), an affiliated corporation (claim 45), a market analyst (claim 46), and a financial advisor (claim 47). Voters often seek advice from either of these respective groups in areas where the voters are unsure of their knowledge, but place more faith in the knowledge of either of these respective groups. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to allow Chisholm's users to vote in accordance with the recommendations of an association (claim 40), a political organization (claim 41), a special interest group (claim 42), a trade association (claim 43), a competing corporation (claim 44), an affiliated corporation (claim 45), a market analyst (claim 46), or a financial advisor (claim 47) in order to allow a user to participate in a vote with more confidence on issues that he/she is less knowledgeable about, but trusts the opinion of another voting affiliate group, such as the ones recited in claims 40-47.

Regarding claim 27, Chisholm does not expressly teach that the user's votes are voted in opposition to a majority position held by a plurality of affinity groups selected by the user; however, Chisholm can vote a user's vote in opposition to the position held by an individual or group of individuals (col. 7, lines 18-19). As a matter of fact, Chisholm allows a user to set up various permutations of voting preferences. Voting in opposition

to a majority position held by a plurality of affinity groups selected by the user is merely one specialized permutation of voting and it is suggested by the ability of Chisholm's users to vote in opposition to the position held by an individual or group of individuals (col. 7, lines 18-19) and in accordance with the vote of multiple individuals when all individuals are in positive agreement (col. 7, lines 4-5). Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to allow Chisholm's users to cast their votes in opposition to a majority position held by a plurality of affinity groups selected by the user in order to allow a user to express disagreement with a plurality of groups whose collective recommendations, when in agreement with one another, he/she opposes.

[Claims 28-35] Claims 28-35 recite limitations already addressed by the rejection of claims 1-27 and 36-47 above; therefore, the same rejection applies.

Furthermore, as set forth in the rejection above, the recited voting of a user's shares is seen as analogous to and obvious in light of Chisholm's voting. Similarly, the claimed organizations have been established as analogous to and obvious in light of Chisholm's individuals and groups of individuals. Following similar lines of reason, the Examiner asserts that adapting Chisholm's invention to perform conditional voting for voting shares based on an organization's voting recommendations would also address the details of weighting recommendations, as recited in claims 28-35. For example, by setting up various preferences upon which a user's votes are to be conditioned, the user is effectively granting a level of importance to, or weighting, the recommendations of

other voters (or affinity groups, as addressed in the modified version of Chisholm discussed above). Therefore, all disclosed voting permutations disclosed by Chisholm and discussed throughout the rejections of claims 1-27 and 36-47 above weights a recommendation of each possible affinity group in the sense that those with a positive voting correlation (i.e., vote in accordance with A's vote) are given a higher weight than those with no mentioned voting correlation or even those with a negative voting correlation (i.e., vote in opposition to A's vote).

Additionally, Chisholm allows a user to specify various individuals upon which a majority decision is to be followed (col. 7, lines 3-21). By specifying various individuals upon which a majority is established, a user is effectively providing a back-up individual(s) upon which a majority can still be decided even when one of the individuals abstains from voting (analogous to claim 33). The user is also effectively prioritizing a list of individuals (analogous to affinity groups) by voting in agreement with a majority of a select group of individuals (col. 7, lines 3-21) (analogous to claim 34).

Regarding claim 35, Chisholm does not expressly teach that the user's vote provides an indication of a plurality of affinity groups whose recommendations the user desires to follow in a predetermined order in case a particular one or more of the plurality of affinity groups does not provide a recommendation on a particular corporate action of a particular corporation; however, Chisholm allows a user to set up various permutations of voting preferences. Chisholm's voters may also abstain from voting. For those users who want to cast a positive or negative vote (as opposed to abstaining), it would behoove them to set up a list of affinity groups in a predetermined order in order

to increase the likelihood of casting a positive or negative vote in case one of the preferred affinity groups chooses to abstain from a vote. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to allow Chisholm's users to provide an indication of a plurality of affinity groups whose recommendations the user desires to follow in a predetermined order in case a particular one or more of the plurality of affinity groups does not provide a recommendation on a particular corporate action of a particular corporation in order to increase the likelihood of casting a positive or negative vote for a user in case one of the preferred affinity groups chooses to abstain from a vote.

[Claims 48-177] Claims 48-177 recite limitations already addressed by the rejection of claims 1-47 above; therefore, the same rejection applies.

Please note that, as per claims 83 and 84, Chisholm's users can set up distinct preferences for each of a plurality of votes.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or faxed to:

(703)305-7687 [Official communications; including After Final communications labeled "Box AF"]

(703)746-7048 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 22202, 7th floor receptionist.



Susanna M. Diaz
Primary Examiner
Art Unit 3623
August 6, 2004